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Paper 16
ENTERED: 20 June 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,331 (RT)

PolyMASC Pharmaceuticals PLC¹
(6,132,763),
Junior Party,

v.

ALZA Corporation
(09/174,298
and 09/843,578),
Senior Party.

JUDGMENT - Bd. R. 127(b) - REQUESTED

Before TORCZON, MOORE, and NAGUMO, Administrative Patent Judges.

TORCZON, Administrative Patent Judge.

1 INTRODUCTION

2 The senior party, ALZA Corporation, has requested (Paper 15)² entry of adverse
3 judgment for count 1, the sole count. The request is GRANTED.

4 35 U.S.C. 135(c) NOTICE

5 Agreements and understandings regarding the termination of an interference are
6 subject to filing requirements under 35 U.S.C. 135(c).

¹ PolyMASC is owned by Valentis, Inc.

² For future reference, papers should be submitted in pdf rather than Microsoft Word format.

JUDGMENT

2 Judgment is ADVERSE to the involved claims of the senior party, Alza

3 Corporation—

4 claims 41-46 of the 09/174,298 application and

5 claims 21-24 of the 09/843,578 application—

6 Which claims are FINALLY REFUSED.

<u>/ss/ Richard Torczon</u>)
RICHARD TORCZON)
Administrative Patent Judge)
)
)
<u>/ss/ James T. Moore</u>)
JAMES T. MOORE)
Administrative Patent Judge)
)
)
<u>/ss/ Mark Nagumo</u>)
MARK NAGUMO)
Administrative Patent Judge)

cc:

For PolyMASC Pharmaceuticals PLC: Mary Ann Dillahunty and Ping F. Hwung, FISH & RICHARDSON, PC, of Redwood City, California.

For ALZA Corporation: Michael Atkins and Angela Nwaneri, ALZA CORPORATION, of Mountain View, California.

Despertt, Sonja

From: Despertt, Sonja on behalf of Interference Trial Section
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Subject: Interference 105331 (RT) Paper No. 16 - Judgment-Bd.R. 127(b) - Requested



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